



## **CASE REVIEW MEETING / RPD BRIEFING MINUTES**

**Wednesday, April 12, 2006**

**4:00 P.M. – Council Chamber Boardroom  
and  
6:00 P.M. - Art Pick Council Chambers  
3900 Main Street, Riverside, CA**

Chairman Gardner called the meeting to order at 4:06 p.m.

### **Roll Call**

Brewer	Davidson	Garcia	Gardner	Ward	Pearcy	Corral	Castro	Quinto
✓	✓	✓	✓	✓	✓	✓	✓	A

✓ = Present    A = Absent

### **Public Comment**

Ms. Rebecca Coutts spoke to the Commission regarding Case No. 05-071.

### **Closed Session**

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:00 p.m. to review the following case(s) involving PUBLIC EMPLOYEE PERSONNEL MATTERS:

	<b>CPRC CASE NO.</b>	<b>RPD CASE NO.</b>		<b>CPRC CASE NO.</b>	<b>RPD CASE NO.</b>
1)	05-007	PC-05-025-235	7)	05-094	PC-05-285-246
2)	05-026	PC-05-074-285	8)	05-108	CP-05-313-146
3)	05-063	PC-05-252-098	9)	05-110	PC-05-319-120
4)	05-071	PC-05-216-249	10)	05-112	PC-05-322-282
5)	05-079	PC-05-239-110	11)	05-117	PC-05-343-064
6)	05-086	PC-05-262-199			

The Commission recessed at 6:00 P.M. to reconvene in the Council Chambers.

## **6:00 – ADJOURN TO OPEN SESSION**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

#### **Public Comments**

Dr. Ron Bailey spoke to the Commission regarding the policing of impaired individuals. He said that either the Police Department is not adequately training its officers or there is something lacking in the "educational experience." He also spoke regarding the "lack of safeguards where you have excessive force." He said there are none; they do not exist.

Mr. Travis Porter spoke to the Commission regarding the death of his nephew, Mr. Lee D. Brown. He said he was concerned by the fact that the involved officer had been involved in a prior fatal shooting in a high crime area. He also said that the family was wondering when they would have access to police, autopsy reports, and the Commission's findings. He said the family had conducted some of their own investigating and asked what action the Commission had taken regarding the incident and when would that information be available.

Chairman Davidson advised Mr. Porter that the CPRC investigator had already started working on the case.

Mr. Mike Gardner congratulated Mr. Davidson and Mr. Ward on their election as chair and vice-chair. He also congratulated Dr. Payne on being selected as the CPRC Executive Director.

Dr. Brian Goins said that he is the pastor of the church where Mr. Brown's family are members and has been a chaplain for the Riverside County Sheriff's Department for nine years. He said that he has indirectly encountered hostility on the Eastside and said he is very disturbed by this latest incident. He said that he feels that there needs to be a challenge to the approach and process about dealing with people in the community.

Mr. Donald Gregory said that he became aware of the Commission a couple years ago. He asked if the Commission sent case findings to the involved persons.

Chairman Davidson advised Mr. Gregory that the Commission's findings were forwarded to the City Manager's Office and that the involved persons were notified by the City Manager's Office as to the final disposition.

Dr. Payne explained that the Commission's finding on a complaint case goes to the City Manager, who then makes the final finding. CPRC staff sends a letter regarding those findings to the complainant and the subject officer.

Mr. Gregory said that his family never received a letter regarding his son's case. He asked about the procedure for sending out the letters. Dr. Payne suggested that they meet after the meeting to discuss the issues raised regarding Mr. Gregory's son's case.

Ms. Mary Shelton spoke regarding Mr. Gregory's son's case saying that it was the second time that the Commission made a sustained finding regarding a use of force complaint. Ms. Shelton said that the finding is online at the CPRC website.

#### **Briefing Regarding the Officer-Involved Death of Lee Deante Brown**

**CHAIRMAN DAVIDSON** – Alright...if there's no one else that wants to make a comment, uh, we're going to move right into the review by the Police Department, so I invite the Riverside Police Department up to the podium.

**DEP. CHIEF DOMINGUEZ** – Good evening, honorable members of the Commission, Chairman, Vice-Chairman, members of the audience. Thank you for allowing the Riverside Police Department the opportunity to brief the Commission on this incident. To my right here, I'll introduce Captain Jim Cannon. He's the commander of our Investigations Division and is managing this investigation, this very serious investigation. To his right is Lieutenant Darryl Hurt who is the lieutenant in charge of our, our special... General Investigations Unit, both of whom are...been involved in this from the beginning. In a minute, I will ask Jim up here to give you an overview of, uh, information.

I understand, uh, this is a difficult time for the, uh, Brown Family, difficult time for the Riverside Police Department and respectfully ask and know you...and know that you understand that we cannot allow any questions and answers at this time. I know you will have plenty of questions. We're working very closely with the District Attorney's Office, the Sheriff's Coroner's Office to conclude this investigation as soon as possible and we will submit it within a reasonable time frame, both to the District Attorney for review and also to Dr. Payne for review by this commission. Jim...

**CAPT. CANNON** – Good evening. On Monday, May...excuse me. On Monday, April 3<sup>rd</sup>, 2006, at approximately 1:26 PM, the Riverside Police Department's Communication's Bureau received a call from a citizen saying that a male was acting bizarre in the area of Loma Vista and Ottawa. Over the next 20 minutes, Police Dispatch received additional calls from citizens about the subject's bizarre behavior. Some of his actions the citizens described were yelling and screaming at people, jumping up and down on cars, lying on the street, kissing the pavement, stripping off all of his clothes, and exposing himself to the public, which included small children.

The subject, who was later identified as Lee Deante Brown, 31 years old and a resident of Riverside, then walked to University Avenue where it was reported that he intentionally walked into oncoming vehicle traffic, uh, that had to take evasive action to avoid hitting him. Mr. Brown proceeded to the Welcome Inn Motel, located at 1910 University Avenue, where he continued to display his bizarre behavior. Witnesses at the motel advised that Mr. Brown was yelling and screaming, repeatedly pounding on various motel room doors, and lying down in the parking lot.

At approximately 1:52 PM, Officer Paul Stucker was driving by the Welcome Inn Motel when a citizen flagged him down and pointed out Mr. Brown. The citizen told Officer Stucker about Mr. Brown's behavior and stated that he, the citizen, thought that Mr. Brown was "on water," which is a street term for PCP. Officer Stucker had been monitoring his police radio and had heard several of the numerous, uh, radio dispatches involving Officer... Mr. Brown. Officer Stucker immediately requested additional officers to respond to his location. Upon seeing Officer Stucker, Mr. Brown retreated to an alcove, uh, where Officer Stucker lost sight of him. Officer Stucker then moved to a different location where he could see Mr. Brown.

Officer Stucker gave Mr. Brown numerous commands, but Mr. Brown ignored the commands. Mr. Brown made some comments to Officer Stucker, saying that he could not hurt him and other comments about Jesus. Mr. Brown then started to advance toward Officer Stucker. At this time, Officer Stucker deployed his Department Taser, which caused Mr. Brown to fall to the ground. Mr. Brown got back to his feet. Officer Stucker deployed the Taser again, which caused Mr. Brown to fall back to the ground.

At this time, it was about 1:55 PM and assisting Officer Terry Ellefson arrived at the motel. Officer Ellefson told Officer Stucker to disable his Taser so he, Officer Ellefson, could safely handcuff Mr. Brown. Officer Ellefson approached Mr. Brown, who was on the ground. Officer Ellefson was able to place a handcuff on Mr. Brown's left wrist. As he tried to secure the right wrist, Mr. Brown quickly pushed up from the ground, tossing Officer Ellefson from his back. Mr. Brown was able to get back on his feet.

At this time, Officer Ellefson deployed his Taser at Mr. Brown. The Taser had little effect. At this time, trying to prevent Mr. Brown from standing up, Officer Stucker closed his distance and attempted to apply a contact Taser deployment to Mr. Brown. As he did, Mr. Brown grabbed Officer Stucker's arm. Immediately, Officer Stucker felt an electrical shock run through both of his arms. Officer Stucker also saw that he had a Taser probe stuck in his left hand. Officer Stucker backed away from Mr. Brown, secured his Taser in his gun belt. Officer...Officer Stucker then drew his expandable baton from his belt.

At the same time, Officer Ellefson moved in and contacted Mr. Brown. Officer Ellefson was also attempting to deliver a Caser...Taser deployment, contact Taser deployment to Mr. Brown's right shoulder area while he attempted to grab the loose handcuff, which was being swung wildly around by Mr. Brown. Officer Ellefson and Mr. Brown struggled briefly.

At this time, both officers saw that Mr. Brown had gained control of Officer Ellefson's Taser and was holding it in his hand. Mr. Brown, who was now in a squatting position, started to stand up and advance toward Officer Ellefson. Fearing for their safety because the power indicator light for the Taser was on, Officer Stucker hit Mr. Brown with his expandable baton, which had no effect.

At the same time, Officer Ellefson, who was backing away from the advancing Mr. Brown, discharged two rounds from his duty weapon, striking Mr. Brown with both rounds. The shots caused Mr. Brown to fall to the ground. Mr. Brown was given several commands by the officers, which he ignored. Medical aid was summoned for Mr. Brown, however, he succumbed to his...succumbed to his wounds at Riverside Community Hospital.

Both officers and police detectives...both officers and police detectives have made several canvases of the area for witnesses and / or possible additional evidence. The witnesses that have been questioned were unaware that Mr. Brown had gained control of the officer's Taser. We are continuing to work very closely with the District Attorney's Office and the Sheriff / Coroner to complete this investigation.

Thank you.

**DEP. CHIEF DOMINGUEZ** – I apologize. I failed to introduce myself, um, when I made my opening comments. My name is Dave Dominguez. I'm the Deputy Chief of Police and in charge of day-to-day operations of the Police Department. Both Chief Leach and I have been briefed on a daily basis by Captain Cannon and his staff and Chief Leach has asked me to take personal oversight of this investigation. I did spend, uh, several years out in, uh, as the captain in Investigations and are thoroughly familiar with investigating officer-involved incidents. He's asked that I keep him informed as the progress of this investigation and wants it completed as soon as possible.

The City of Riverside and members of the Police Department extend our sincere sympathy to the family of Mr. Brown. As I mentioned earlier, we realize this is a very difficult time for him and his fam...for his family. We also would ask if the investigator assigned comes up with any additional witnesses that we have not found, that information be given to us so we can continue and interview them and complete our investigation.

With that, thank you for allowing us this time this evening.

**CHAIRMAN DAVIDSON** – Thank you, Chief, for giving us that briefing and we certainly will keep you informed. And as far as the audience is concerned, I'd like to just say, we realize this is a very, very difficult time for everyone and this commission takes it very seriously and we will be on top of this as quickly as we can possibly get the facts in and we can assure you of that. We thank you for coming.

Any comments from any of the commissioners?

Alright, we adjourn the meeting.

### **Adjournment**

The Commission adjourned at 6:37 p.m.

Respectfully submitted,

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PHOEBE SHERRON  
Sr. Office Specialist